

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C. 20436

In the Matter of)
)
)

CERTAIN DISPLAY CONTROLLERS)
WITH UPSCALING FUNCTIONALITY)
AND PRODUCTS CONTAINING SAME)

Inv. No. 337-TA-481

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING COMPLAINANT’S MOTION FOR SUMMARY
DETERMINATION THAT IT SATISFIES THE ECONOMIC PRONG OF THE
DOMESTIC INDUSTRY REQUIREMENT**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (“ID”) issued by the presiding administrative law judge (ALJ) granting complainant Genesis Microchip (Delaware) Inc.’s motion for summary determination that it satisfies the economic prong of the domestic industry requirement. Notice is also given that the Commission has determined to deny complainant’s motion to strike the petitions for review filed by respondents Media Reality Technologies, Inc., and Trumpion Electronics, Inc.

FOR FURTHER INFORMATION CONTACT: Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3115. Copies of the ALJ’s ID and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2000. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission’s electronic docket (EDIS) at <http://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on October 18, 2002, based on a complaint filed by Genesis Microchip (Delaware) Inc. (“Genesis”) of Alviso, California, against Media Reality Technologies, Inc. (“MRT”) of Sunnyvale, California; Trumpion Microelectronics, Inc. (“Trumpion”) of Taipei, Taiwan; and SmartASIC, Inc. (“SmartASIC”) of San Jose, California. 67 *Fed. Reg.* 64411 (October 18, 2002). The complaint alleges violations of section 337 of the Tariff Act of 1930 in the importation and sale of certain display controllers with upscaling functionality and products containing same by reason of infringement of 42 claims of U.S. Patent No. 5,738,867.

On January 14, 2003, the ALJ issued an ID (Order No. 6) terminating respondent SmartASIC from the investigation on the basis of a settlement agreement. On February 12, 2003, the Commission issued a notice of its decision not to review that ID (Order No. 6).

On April 4, 2003, complainant Genesis moved for summary determination of the economic prong of the domestic industry requirement under 19 U.S.C. § 1337 (a)(3). On April 28, 2003, the ALJ issued the ID (Order No. 27) granting Genesis’s motion. On May 6, 2003, both respondents, MRT and Trumpion, filed petitions for review of the subject ID (Order No. 27). On May 13, 2003, complainant Genesis and the Commission’s investigative attorney (IA) filed their responses in opposition to the petitions for review.

On May 13, 2003, Genesis moved to strike respondents’ petitions. On the same day, Genesis filed its opposition to respondents’ petitions for review. Also on the same day, the IA filed her response in opposition to the petitions for review. On May 14, 2003, MRT filed a memorandum in opposition to Genesis motion to strike respondents’ petitions for review.

The authority for the Commission’s determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), and in section 210.42 of the Commission’s Rules of Practice and Procedure (19 C.F.R. § 210.42).

By order of the Commission.

Marilyn R. Abbott
Secretary to the Commission

Issued: May 28, 2003